



## **BRAIN INJURY ADVISORY COUNCIL**

Date: September 10, 2014

Time: 10:00am-2:00 pm

Location: Public Health-Cardinal Room, Bldg. 3

TYPE OF MEETING		Quarterly Meeting		
FACILITATOR		Carol Ornitz, Chairperson		
ATTENDEES				
NAME	PRESENT	NAME	PRESENT	
(Council Members)				GUESTS
Jean Andersen	<input checked="" type="checkbox"/>	Lynn Makor	<input checked="" type="checkbox"/>	Heather McAllister
Helaine Bilos	<input type="checkbox"/>	Dreama McCoy	<input checked="" type="checkbox"/>	Susan Johnson
Josh Bloom	<input type="checkbox"/>	Karen McCulloch	<input checked="" type="checkbox"/>	Janna Fonseca
Cindy Boyd	<input checked="" type="checkbox"/>	Carol Ornitz, Chair	<input checked="" type="checkbox"/>	Pat Bevell
Spencer Clark	<input type="checkbox"/>	Ilario Pantano	<input checked="" type="checkbox"/>	Tonia Harrison
Alan Dellapenna	<input type="checkbox"/>	Terri Reichert	<input checked="" type="checkbox"/>	Laurie Stickney
Amy Douglas	<input checked="" type="checkbox"/>	Dick Seidenspinner	<input type="checkbox"/>	Sheri Bartel
Michele Elliott	<input checked="" type="checkbox"/>		<input type="checkbox"/>	Jessica Conard
Sandra Farmer	<input checked="" type="checkbox"/>	Beverly Speroff	<input checked="" type="checkbox"/>	Chris Egan
Craig Fitzgerald	<input type="checkbox"/>	Vicki Smith	<input checked="" type="checkbox"/>	
Travis Glass	<input checked="" type="checkbox"/>	Jim Swain	<input checked="" type="checkbox"/>	
Deb Goda	<input checked="" type="checkbox"/>	Pier Tarrant	<input checked="" type="checkbox"/>	
Thomas Henson	<input checked="" type="checkbox"/>	Kenneth Wilkins	<input type="checkbox"/>	
Linda Herbert	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Ken Jones	<input type="checkbox"/>		<input type="checkbox"/>	
Betty Lilyquist	<input type="checkbox"/>	Staff to Council		
Latoya Lucas	<input type="checkbox"/>	Jan White	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	

### **1. Agenda topic: Welcome, Introductions**

**Carol Ornitz**

<b>Discussion</b>	Ms. Ornitz welcomed everyone and members and guests introduced themselves.		
<b>Conclusions</b>			
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	

### **2. Agenda topic: Review of Minutes**

**Carol Ornitz**

<b>Discussion</b>	June 2014 minutes were reviewed with no changes noted. Mr. Henson made a motion to approve with a second by Ms. Farmer. All in favor with no opposition, no abstention; motion passed.		
<b>Conclusions</b>	The minutes were adopted as presented.		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	
The minutes will be posted on the web.	Janice White	Sept. 10	

### **3. Agenda topic: Appointments:**

**Jan White**

<b>Discussion</b>	<p>Appointments were reviewed as follows:</p> <ul style="list-style-type: none"> <li>President Pro Tempore of the Senate: <ul style="list-style-type: none"> <li>-Nurse position, vacated by resignation, needs to be filled.</li> <li>-Veteran or family member of veteran position, vacated by resignation, needs to be filled.</li> </ul> </li> <li>Governor: <ul style="list-style-type: none"> <li>-Three survivors of brain injury, two who will not be re-appointed due to unexcused absences and one whose two terms have been completed, need to be filled.</li> <li>-One family member position, vacated by resignation, needs to be filled.</li> <li>-ED of Protection &amp; Advocacy needs to be re-appointed.</li> <li>-One stroke survivor position, vacated due to inability to complete the term, needs to be filled.</li> </ul> </li> <li>Secretary of DHHS:</li> </ul>
-------------------	--

	- ED of the NC Council on Developmental Disabilities has been named: Chris Egan has been recommended; the appointment has not yet been made.		
<b>Conclusions</b>	Council staff will continue to work with the appointing bodies to make appointments before the next meeting.		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	
Contact appointing bodies	Jan White	ASAP	

#### 4. Agenda topic: Division Update

**Jan White**

<b>Discussion</b>	<ul style="list-style-type: none"> <li>As requested at the last meeting the newest map of the LME/MCOs was distributed to the Council.</li> <li>The HRSA TBI Grant was awarded in June. The contract with the Brain Injury Association of NC is presently being written and project planning is under way. The first Grant Steering Committee meeting will be held before the next Advisory Council meeting. The Needs &amp; Resources Assessment will be conducted this fall and all were asked to distribute information far and wide when it comes out.</li> <li>A draft handout of the last SFY TBI Allocation Report was reviewed and questions answered. Some LME/MCOs are still in the process of updating reports.</li> <li>TBI allocations for this SFY need to be handled in a different way due to the language in the budget bill. "Recurring" allocations will have new allocations letters written and the rest of the allocation letters will go out later in the SFY.</li> </ul>		
<b>Conclusions</b>	<ul style="list-style-type: none"> <li>DMH staff continues to work on many TBI programs and projects.</li> </ul>		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	
None at this time.			

#### 5. Agenda topic: Legislative Update

**C. Ornitz/S. Farmer**

<b>Discussion</b>	<p>Three requested items were included in the budget bill:</p> <ul style="list-style-type: none"> <li>Write a TBI Waiver-but no funding attached. Need to be written by February 1, 2015. Have asked for consultants from the National Association of State Head Injury Administrators (NASHA).</li> <li>Secure the State TBI money so that it cannot be used for something else.</li> <li>TBI Subcommittee of the DHHS Legislative Oversight Committee. Committee members have now been named but have not met yet. Unfortunately a Study Commission was not included in legislation. The TBI Sub-Committee of the LOC will write a report by December 1, 2014.</li> </ul>		
<b>Conclusions</b>	Advocates were able to secure three items in this year's budget bill which impacted TBI.		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	
DHHS and TBI advocates will follow the progress of the TBI Sub-Committee of the Legislative Oversight Committee.	Council	Ongoing	

#### 6. Agenda topic: Long-Term Care Meeting Update

**Jean Andersen**

<b>Discussion</b>	Workgroup is looking at stakeholder engagement for Long Term Service & Supports (LTSS) and possible changes that will need to be made to the system to incorporate Accountable Care Organizations (ACOs). The LTSS Report supported ACOs and a full report is expected by year's end (may have been extended to March).		
<b>Conclusions</b>	TBI is an important piece of the LTSS discussion and advocates should always be at the table.		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>	
TBI representation.	Jean Andersen	Ongoing	

#### 7. Agenda topic: TBI Waiver Update

**Deb Goda/Kenneth Bausell-DMA**

<b>Discussion</b>	<ul style="list-style-type: none"> <li>DHSR has received calls from providers regarding new Home &amp; Community Based Services (HCBS) rules regarding congregate living. These include such things as access to food, telephone and privacy. Question: What does DHSR look at when they review for licensure?</li> <li>Find out when stakeholder groups are for HCBS and make sure the TBI voice is heard.</li> <li>What are the workgroups? <ul style="list-style-type: none"> <li>-HCBS Planning Group-Providers, DMA, DMH</li> <li>-Stakeholder group for Innovations-looking at reporting and budgets, blending habilitation &amp; Personal Care, Supported Living, Assistive Technology, Care Coordination, Supports Intensity Scale</li> </ul> </li> <li>Things to consider: <ul style="list-style-type: none"> <li>-If someone is on Innovations could they get onto the new TBI waiver?</li> <li>-Can changes be made to Innovations to better serve TBI.</li> <li>-Will TBI Waiver ceiling be close to ceiling for Innovations?</li> </ul> </li> </ul> <p>Where are we with TBI Waiver?</p>		
-------------------	---	--	--

	<ul style="list-style-type: none"><li>• Level of Care-other states look at specialty hospitals for rates (must be Medicaid rates) to make higher level for cost neutrality.</li><li>• Higher cost serves less people.</li><li>• Will the TBI Waiver be time limited?</li><li>• Also takes into account all other Medicaid costs such as Durable Medical Equipment, dental, incontinence supplies, meds + waiver services</li><li>• Eligibility determines exclusion therefore may want to look at poverty level percentage used in other states.</li><li>• If TBI consumers come off of the Innovations Waiver there could be a potential of a net loss of slots.</li><li>• Changes can be made for technical amendment or anytime any waiver is up for renewal</li><li>• A decision has not been made about bringing in outside TBI consultants.</li><li>• Carol developed Waiver handout re: other states-will send to Jan to send to Council</li><li>• Health Services Committee can assist with waiver information. Michiele needs co-chair- Jean A. to co-chair. Get more advocates. Add Carol &amp; Sandra.</li></ul>	
Conclusions	<ul style="list-style-type: none"><li>• Providers asking about new HCBS rules for congregate living.</li><li>• Carol has developed a waiver handout which can be sent to the Council.</li><li>• Set up call of Health Services Committee in next two weeks.</li></ul>	
Action Items	Person(s) Responsible	Deadline
<ul style="list-style-type: none"><li>• Send Council Bill Ditto's Waiver presentation from 2010.</li><li>• Send Carol's Waiver document.</li><li>• Health Services Committee call</li></ul>	Jan White	

## 8. Agenda topic: Protection & Advocacy Update

**Vicki Smith**

<b>Discussion</b>	<ul style="list-style-type: none"><li>• Target survey will be sent out from Disability rights NC (DRNC)-would like to increase response from TBI community. Would like to know if consumers are interested in transitioning to greater or lesser level of service</li><li>• DRNC lost the veteran/TBI person on their Board of Directors-if you know someone refer.</li><li>• Litigation against Division of Motor Vehicles for discrimination of persons with disabilities getting licenses.</li><li>• Supports Needs Matrix and Supports Intensity Scale litigation against Cardinal Innovations Behavioral Healthcare-no appeal rights, no transparency. This was filed in 2011.</li><li>• Will look at children with dual diagnosis- MH + another disability under EPSDT.</li></ul>		
<b>Conclusions</b>	Ongoing advocacy for all with disabilities.		
<b>Action Items</b>		<b>Person(s) Responsible</b>	<b>Deadline</b>
Send "Target" survey to Council.		Jan White	ASAP

## 9. Agenda topic: Committee Reports

<b>Discussion</b>	<p><b>Health Services</b>-Michiele Elliot</p> <ul style="list-style-type: none"> <li>• Waiting for the Council and Chair to determine this committee's next task; possibly something to assist with the TBI Waiver?</li> <li>• Ms. Jean Andersen volunteered as committee Co-Chair.</li> </ul> <p><b>Prevention</b>- Alan Dellapenna and Thomas Henson- Co Chairs -J. White asked to give a report on the TBI -Children &amp; Youth Prevention Community of Practice</p> <ul style="list-style-type: none"> <li>• Now officially completed but still need to finish the report.</li> <li>• Public Health has offered the help of two interns to assist in writing the TBI Children &amp; Youth Prevention Plan. When it is complete it will be sent to the Council for input and edits.</li> </ul> <p>-The report Burden of Pedestrian &amp; Pedal Cyclist MVT-Related Injuries in NC" has been posted to the Injury &amp; Violence Prevention Branch page: <a href="http://injuryfreenc.ncdhhs.gov/datasurveillance/MVCdata.htm">http://injuryfreenc.ncdhhs.gov/datasurveillance/MVCdata.htm</a></p> <p>-Continue work on suicide prevention-Sandra Farmer participating from this group.</p> <p>-NC DOT &amp; the Commerce Department were receptive to a proposal to include signage on greenways about the NC bicycle helmet law, the proposal is going to a joint workgroup setting standards for greenways in NC.</p> <p><b>Children &amp; Youth</b>-Liz Newlin/Lynn Makor</p> <ul style="list-style-type: none"> <li>• Committee continues to work on issues around concussion and "Return to Learn". Dr. Steve Hooper is also helping with this effort.</li> <li>• It has been decided that instead of pursuing legislation (such as amending the Gfeller/Waller Act) a concussion protocol which has been piloted in the Wake County School District will be proposed statewide through DPI. Details will be forthcoming as the committee proceeds.</li> <li>• Would like to have recommendation to the Board of Ed for consideration by December.</li> </ul> <p><b>Veterans</b>- H. Bilos/Ilario Pantano-no report</p> <p><b>Legislative</b>-S. Farmer</p> <p>Report given above</p>
<b>Conclusions</b>	Committees working on specific task.

Action Items	Person(s) Responsible	Deadline
All committees should meet quarterly.		

#### 10. Agenda topic: Other

<b>Discussion</b>	<ul style="list-style-type: none"> <li>Carol's term will end as Chair by December. Need nominations.</li> <li>DSOHF continues to propose a TBI unit at Black Mountain- DRNC goes on record against this</li> <li>DHSR will continue to explore the need to license a service within a facility</li> <li>Need data around Psych hospitals-will talk to DSOHF</li> <li>Council DD-Stakeholder engagement group talk about LTSS. Report came out last year. Chris Egan to send.</li> </ul> <p>Motion to adjourn meeting with a second; all in favor.</p>	
<b>Conclusions</b>		
<b>Action Items</b>	<b>Person(s) Responsible</b>	<b>Deadline</b>

Ms. Ornitz thanked everyone for their participation. There being no further business, the meeting was adjourned at 1:50 pm. Respectfully submitted: Janice White, TBI Program Manager, DMHDDSAS